

## REMARKS

Claims 28-43 are pending in the application. Claims 28-43 stand rejected under 35 U.S.C. Section 103(a).

The Examiner has rejected Claims 28 and 36 under 35 U.S.C. Section 103(a) as being unpatentable over U.S. Patent No. 6,259,774 (Miloslavsky) in view of U.S. Patent No. 6,212,178 (Beck et al.). In light of the arguments made below the Applicant respectfully traverses the rejection.

Miloslavsky discloses a telephony call center system which includes an Internet connection for parties using a web browser. In operation, when a system user accesses a particular website they may select an icon includable on the web page which notifies a second site that the user wishes to establish communications. Various identification information may then be provided through the site and then the caller's phone number is placed in a call back queue. When an agent becomes available a call is placed to the system user. At that point, because of the source of the information (the first site), the agent will know which website the callee is viewing.

The Applicant's invention is novel and non-obvious in light of Miloslavsky and Beck et al., either alone or in combination, because neither of the references teach a key feature of the Applicant's invention. In particular, neither of the references teaches a communications mode screen display which presents a plurality of modes of communications to system users, where each of the modes are selectable by the system user in order to establish a real time connection with an identified service agent via the selected mode of communication. The selected mode of communication include audio, video, and data conferencing (real time, two way communications).

In Miloslavsky there is no teaching or discussion of any mode of communication other than receiving a telephone call from a notified service agent. There is not even a suggestion that other two way modes of communications, such as video or data conferencing, may be employed regardless of how they are selected.

With regards to Beck et al., although this reference does provide general teaching as to the use of screen displays configured for establishing a line of communications, requesting a call back and being placed in a queue, this reference does not teach or suggest the functionality for communicating through a selected mode of real time communication. The Beck et al. system deals with reply e-mails and fax options which do not provide the two-way modes of communications which are taught in the Applicant's inventions. For example, in Beck et al. in Column 15, Lines 44-67, there is discussion with regards to the use of I-phone, call back, promotional models, video presentations, on-line viewer, and/or an order wizard. None of these examples are the same as is taught in the Applicant's invention in that there is only one selection for two way, real time communication, and that is audio.

Further, neither Miloslavsky or Beck et al. teach or suggest a processing device which is configured to store the preferred time for the call back in memory and to periodically search this memory and automatically schedule the call back with an identified service agent. The Examiner has noted a number of places in Miloslavsky where this feature is supposed to be described (Column 9, Lines 50-57, Column 10, Lines 10-17). The Applicant has studied the noted sections of Miloslavsky and has not been able to identify any description which discloses this particular feature. In Column 9, Lines 50-57, there is discussion as to the creation of a telephone queue in which callbacks are placed to system users on a first in first out manner. It further states that other priority schemes are possible.

This system is significantly different from the Applicant's invention in that the Applicant's system does not establish a priority of calls. Instead the calls are made by the system at a date in time selectable by the system user. In Beck et al., the use of the word priority means that the telephone numbers are ordered by some assigned importance (not controlled by the system user) and callbacks are placed in that order. There is no such scheme in the Applicant's invention. Further, there is no teaching or suggestion in Miloslavsky that the system user may select their time and date for callback and that the system in this reference includes the capability to perform an automated search of this stored information and then place the call at the selected time. As such, the Examiner's rejections of Claims 28 and 36 under 35 U.S.C. Section 103(a) are respectfully traversed.

The Examiner has further rejected Claims 30, 29, 31-35 and 37-43 under 35 U.S.C. Section 103(a) as being unpatentable over the combined system of Miloslavsky and Beck et al. in view of U.S. Patent No. 5,848,143 (Andrews et al.). In light of the arguments made below the Applicant respectfully traverses the rejection.

As noted by the Examiner, Andrews et al. discloses a central controller which is adapted to generate control signals based on status messages received from agent systems. Included in the central controller is a supervisor interface through which a supervisor may view agent status or agent profile information. What Andrews et al. does not disclose, as with Miloslavsky and Beck et al. discussed in detail above, is a system and method whereby a system user who connects to the system may select a desired mode of communication for two way communications with a service agent. Further, Andrews et al. does not teach or suggest the functionality to select a time and date for a call back whereby an automatic search is performed

of this information periodically and the call is placed accordingly. As such the Examiner's rejection under 35 U.S.C. Section 103(a) is respectfully traversed.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

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